

Clinton Brown, Self-Represented  
16821 Edgar Street  
Pacific Palisades, CA 90272  
clinton@atlasinc.solar  
310-487-6453

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

CLINTON BROWN,

Plaintiff,

vs.

CLARK R. TAYLOR, AICP, THE  
LOS ANGELES COUNTY  
DEPARTMENT OF REGIONAL  
PLANNING,  
Defendant.

CASE NO. 2:22-cv-09203-MEMF-KS

**Request for Judicial Notice No. 3**

**Judge:** Honorable Maame Ewusi-  
Mensah Frimpong

**Magistrate:** Karen L. Stevenson

**Action Filed:** 12/17/2022

**Action Due:** 01/13/2023

**Request for Judicial Notice No. 3**

**NOTICE TO THE COURT**, adjudicative facts are the facts of a particular case - the who, what, when, where, and how of the specific matter before the Court. This case is a ‘live’ controversy. Defendant alleges, “[Plaintiff] had no reasonable investor-backed expectations of 27250 Agoura Road as the restrictions against solar farms (and residential structures) were known to him and existed prior to Atlas LLC’s purchase of the subject property.” *See* ECF No. 118 at 5 (ordering denying MTC). This RJN No. 3 is an adjudicative fact and can be noticed at any stage of the proceeding. *See* F.R.E. 201(d).

[What, then, are ‘adjudicative’ facts? Davis refers to them as those “which relate to the parties,” or more fully: “When a court or an agency finds facts concerning the immediate parties—who did what, where, when, how, and with what motive or intent—the court or agency is

performing an adjudicative function, and the facts are conveniently called adjudicative facts. \* \* \* “Stated in other terms, the adjudicative facts are those to which the law is applied in the process of adjudication. They are the facts that normally go to the jury in a jury case. They relate to the parties, their activities, their properties, their businesses.” *See* Title 28, Appendix, Rule 201 at 361 (citing 2 Administrative Law Treatise 353) (archived at <https://perma.cc/3NY4-Y28X> on Dec. 19, 2023).]

Clearly, ECF No. 113 at 3-5, “FINAL ZONING ENFORCEMENT ORDER” has met the required threshold under F.R.E. 201(b)(2) and 201(c)(2). *Cf.* ECF No. 89 and 95.<sup>1</sup> F.R.E. Rule 201 is a tool for judicial economy for all parties. Even when taken, [201] has no other effect than to relieve one of the parties to a controversy of the burden of resorting to the usual forms of evidence. It does not mean that the opponent is prevented from disputing the matter by evidence if he believes it disputable. *See* *Ohio Bell Tel. Co. v. Pub. Utils. Com.*, 301 U.S. 292, 301-302 (1937). **THEREFORE**, the Court is asked to take judicial notice under its ancillary jurisdiction consistent with *Griggs*. *See* *Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982) (per curiam); ECF No. 108.

“I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.”



Clinton Brown

12/19/2023

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<sup>1</sup> Note: ECF No. 95 does not provide any statutory or judicial authority explaining the difference between adjudicative and legislative facts. (*Cogito, ergo sum*) The letter sent to the Plaintiff by the Government, who is the Defendant in this case, originates from a source whose accuracy cannot be reasonably questioned. A briefing schedule is not appropriate, this isn't a motion. In any event, the Defendant can be 'heard' before *or* after F.R.E. Rule 201(d) is triggered. *See* F.R.E. 201(e).



AMY J. BODEK, AICP  
Director,  
Regional Planning

DENNIS SLAVIN  
Chief Deputy Director,  
Regional Planning

# FINAL ZONING ENFORCEMENT ORDER

December 14, 2023

TONASUT, STEVE W TR TONASUT FAMILY TRUST  
AND ATLAS LLC  
16821 EDGAR ST  
PACIFIC PALISADES CA 90272

**Code Enforcement Case Number: RPCE2023005523**

Dear Property Owner/Tenant:

An inspection was conducted at Assessor's Parcel Number 2064-005-015, CALABASAS, CA 91302, and it disclosed the following violation(s):

**1. Outdoor Advertising Sign**

An outdoor advertising sign is being maintained on the premises (Los Angeles County Zoning Code: 22.02.030(B); 22.20.020; 22.20.040; 22.20.090; 22.114.070)

*A prohibited advertising sign of 24 feet by 6 feet 2 inches for "Atlas Rei Homes" is being maintained on the premises.*

This is not a permitted use in zone CPD and is in violation of the provisions of the Los Angeles County Zoning Ordinance (Title 22) Section(s) listed above.

Failure of the owner or person in charge of the premises to comply with this order within fifteen (15) days after the compliance date specified herein, or any written extension thereof, shall subject the violator to a noncompliance fee in the amount of \$933.00, unless an appeal from this order is filed within fifteen (15) days after the compliance date. Such appeal must comply with Section 22.242.070(C) of the Los Angeles County Code.

Case Number:  
RPCE2023005523

APN:  
2064005015

Zone:  
CPD

Investigating Planner:  
Glenn Kam

Email:  
GKam@planning.lacounty.gov

Phone Number:  
213-974-6453  
Monday - Thursday

Fees Due Now:  
\$0.00

Fees Due 15 Days After  
Compliance Date:  
\$933.00

Compliance Date:  
January 2, 2024

Ref: RPCE2023005523

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VIA CERTIFIED MAIL

LOS ANGELES COUNTY  
DEPARTMENT OF  
REGIONAL PLANNING



320 West Temple Street, Los Angeles, CA 90012 • 213-974-6411 • TDD: 213-617-2292

@LACDRP • planning.lacounty.gov



To avoid being charged the noncompliance fee, you must abate the aforementioned zoning violation(s) and bring the subject property into compliance with the Los Angeles County Zoning Ordinance within 15 days after the compliance date which has been set for January 2, 2024. Failure to correct the violation(s) found at Assessor's Parcel Number 2064-005-015, CALABASAS, CA 91302 by the date specified herein may cause this matter to be referred to the District Attorney with the request that a criminal complaint be filed if compliance is not achieved. Conviction can result in a penalty of up to six months in jail and/or a \$1,000.00 fine, each day in violation constituting a separate offense.

For any other inquiries please contact the investigating planner directly as noted by the contact information listed in the righthand column on page 1. Locate your local field office at [planning.lacounty.gov/locations](https://planning.lacounty.gov/locations) for additional LA County Planning information.

If you need assistance in a language other than English, please contact us at (213) 974-6483 for language assistance at no cost to you.

If Americans with Disability Act (ADA) assistance is needed, please contact the ADA Coordinator at (213) 974-6488 (Voice) or (213) 617-2292 (TDD).

*Para más información sobre su caso, por favor comuníquese con el planificador investigando su caso. La información del planificador se encuentra en el lado derecho de la página 1. Si desea asistencia en español, nosotros ofrecemos servicios para ayudarle a entender esta notificación. Por favor contáctenos por teléfono (213) 974-6483 para más asistencia sin costo.*

*Si necesita asistencia conforme al Americans with Disability Act (ADA), por favor llame al (213) 974-6488 (Voz) o al (213) 617-2292 (TDD) para comunicarse con el coordinador de ADA.*

如若您需要中文翻译或无法读懂本通知书的英文内容，我们可以根据要求免费提供国语或粤语翻译服务。 请致电 (213) 974-6483 与我们联系以获得语言协助。 您无需支付任何费用。

如若您需要《美国残疾人法案》(ADA) 援助，请致电 (213) 974-6488 (语音) 或 (213) 617-2292 (TDD) 联系ADA协调员。

Sincerely,

Amy J. Bodek, AICP  
Director,  
Regional Planning

*Diane Temple*

Diane Temple  
Supervising Regional Planner  
Zoning Enforcement West

Ref: RPCE2023005523

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